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LEGISLATIVE HISTORY

Public Law 86-545

H. R. 11615

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Digest of Public Law 86-5452

INDEX AND SUMMARY OF H. R. 11615

Apr. 6, 1960	Rep. Clem Miller introduced H. R. 11615 which was referred to the House Agriculture Committee. Print of bill as introduced.
Apr. 19, 1960	Sen. Engle introduced S. 3383 which was referred to Senate Agriculture and Forestry Committee. Print of bill as introduced.
Apr. 28, 1960	House subcommittee voted to report H. R. 11615.
May 11, 1960	House committee voted to report (but did not actually report) H. R. 11615.
May 23, 1960	House committee reported H.R. 11615 with amendment. H. Report No. 1640. Print of bill and report.
June 1, 1960	Senate committee reported S. 3383 with amendment. S. Report No. 1495. Print of bill and report.
June 2, 1960	Senate passed over S. 3383 at the request of Sen. Engle.
June 6, 1960	House passed H. R. 11615 as reported.
June 7, 1960	H. R. 11615 was placed on the Senate calendar. Print of bill.
June 18, 1960	Senate passed H. R. 11615 without amendment (in lieu of S. 3383).
	S. 3383 indefinitely postponed due to passage of H. R. 11615.
June 29, 1960	Approved: Public Law 86-545.

DIGEST OF PUBLIC LAW 86-545

ACQUISITION OF LAND FOR WATERSHED PROJECTS. Amends section 4 of the Watershed Protection and Flood Prevention Act so as to permit the Secretary of Agriculture when needed interests in lands are to be acquired by the local organization through condemnation proceedings, to provide Federal assistance for the installation of works of improvement upon obtaining satisfactory assurances that such needed interests in lands will be acquired by the local organization without waiting for final acquisition of title as required by existing law.

H. R. 11615

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 1960

Mr. CLEM MILLER introduced the following bill; which was referred to the
Committee on Agriculture

A BILL

To amend section 4 of the Watershed Protection and Flood
Prevention Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That paragraph (1) of section 4 of the Watershed
4 Protection and Flood Prevention Act (68 Stat. 666), as
5 amended, is amended to read as follows:

6 “(1) acquire or provide assurances satisfactory
7 to the Secretary that they will acquire, without cost
8 to the Federal Government, such land, easements, or
9 rights-of-way as will be needed in connection with works
10 of improvement installed with Federal assistance;”.

86TH CONGRESS
2D SESSION

H. R. 11615

A BILL

To amend section 4 of the Watershed Protection
and Flood Prevention Act.

By Mr. CLEM MILLER

APRIL 6, 1960

Referred to the Committee on Agriculture

IN THE SENATE OF THE UNITED STATES

APRIL 19, 1960

Mr. ENGLE introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To amend section 4 of the Watershed Protection and Flood Prevention Act.

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2 *tives of the United States of America in Congress assembled,*
3 That paragraph (1) of section 4 of the Watershed
4 Protection and Flood Prevention Act (68 Stat. 666), as
5 amended, is amended to read as follows:

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10 of improvement installed with Federal assistance;”.

86TH CONGRESS
2D SESSION

S. 3383

A BILL

To amend section 4 of the Watershed Protection
and Flood Prevention Act.

By Mr. ENGLE

APRIL 19, 1960

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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HIGHLIGHTS: Senate debated mutual security authorization bill. House committee voted to reject bill to include certain Labor Department employees under assault statutes. House agreed to conference report on Commerce appropriation bill. House agreed to Senate amendments to bill expanding authority to make additional watershed protection loans.

SENATE

1. MUTUAL SECURITY. Continued debate on S. 3053, the mutual security authorization bill (pp. 8216-23, 8234-63). Agreed, 45 to 25, to an amendment by Sen. Douglas to express the sense of Congress that the United States favors freedom of navigation in international waterways and economic cooperation between nations, and that assistance under the Mutual Security Act and Public Law 480 shall be administered to give effect to these principles. Agreed, 40 to 29, to a motion by Sen. Johnson to table a motion by Sen. Douglas to reconsider the vote on this amendment (pp. 8246-59).
2. SOIL CONSERVATION. Sen. Symington commended the work of the Soil Conservation Service on its 25th anniversary, stating that "their accomplishments in conserving our natural resources have been of benefit to all our citizens and will be even more important to future generations of Americans." pp. 8207-8
3. WATER RESOURCES; SURPLUS COMMODITIES. Sen. Mansfield inserted an address by Commissioner of Reclamation, Floyd E. Dominy, "Water in Our Future," discussing the importance of irrigation and water resource development, and stating that with regard to the question as to the advisability or necessity of adding acreage to our irrigated areas in the present time of crop surpluses "there is no

long-lasting or critical surplus problem in meats, vegetables, and fruits" which "are among the principal products of irrigated farms." pp. 8204-6

4. CREDIT; FINANCE CHARGES. A subcommittee of the Banking and Currency Committee voted to report to the full committee with amendment S. 2755, to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with the extension of credit. p. D350
5. SENATE MEMBERSHIP. Several Senators paid tribute to the public service of Sen. Murray upon announcement of his retirement from the Senate after this session, and commended his work in natural resource development and conservation. pp. 8223-33
6. LEGISLATIVE PROGRAM. Sen. Johnson announced that the policy committee had cleared the following bills for consideration: H. R. 9861, import duty on istle or Tampico fiber; S. 1857, standards for export of grapes and plums; S. 3387, appropriation authorizations for AEC; S. 1781, cooperative research programs between Federal Government and colleges; H. R. 10550, extension of Export Control Act; S. 2575, health benefits program for retired Federal employees; H. R. 8241, retirement benefits for reemployed Members of Congress; and H. R. 8289, accelerating the retirement date for certain retirees (pp. 8242-3). He also stated that for the remainder of this session the Senate may have late sessions and Saturday sessions, and it was necessary that action be taken this session on housing, pay raises for Federal employees, and minimum-wage legislation (p. 8243).

HOUSE

7. WATERSHEDS. Agreed to the Senate amendments to H. R. 4781, to amend the Watershed Protection and Flood Prevention Act to provide that its loan provisions shall be applicable to the 11 major watershed projects included in the watershed improvement programs authorized by the Flood Control Act of 1944. (p. 8271) This bill will now be sent to the President.
The Conservation and Credit Subcommittee of the Agriculture Committee voted to report H. R. 11615, to amend section 4 of the Watershed Protection and Flood Prevention Act so as to authorize Federal assistance on watershed projects prior to acquisition of land, easements, or rights-of-way as needed in connection with works of improvements installed with Federal assistance. p. D352
8. APPROPRIATIONS. Granted the Appropriations Committee until midnight, Friday, Apr. 29, to file the report on the Department of Defense appropriations bill for 1961. pp. 8270-1
9. TREASURY-POST OFFICE APPROPRIATION BILL. Disagreed to Senate amendments to this bill H. R. 10569; conferees were appointed. Senate conferees have been appointed. p. 8271
10. COMMERCE DEPARTMENT APPROPRIATION BILL. Agreed to the conference report on this bill H. R. 10234. p. 8284
11. PERSONNEL. The Judiciary Committee, in executive session, voted to table H. R. 10188, to include certain officers and employees of the Department of Labor within the provisions of sections 111 and 1114 of title 18 of the U. S. Code relating to assaults and homicides. p. D353

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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HIGHLIGHTS: House passed agricultural appropriation bill. Representatives McIntire, Gathings, and Dixon introduced farm labor bills.

HOUSE

1. AGRICULTURAL APPROPRIATION BILL, 1961. Passed with amendments this bill, H. R. 12117. pp. 9315-47, A4071-2

Agreed to the following amendments:

By Rep. Cooley, 116 to 67, to strike a provision of the bill which would have provided that no part of CCC funds may be used to formulate or administer a program which provides for reclassing of CCC cotton after time of sale to private individuals or organizations. pp. 9323-36

By Rep. Yates to provide that none of the funds appropriated shall be used to formulate or administer any program which does not provide for maximum use of Government-owned facilities for storing surplus commodities consistent with the economical operation of CCC. pp. 9336-9

By Rep. Brown, Ga., to strike a provision of the bill which would have provided that no part of the funds appropriated could be used to pay any employee or office, except the Secretary of Agriculture, who, in addition to other regularly assigned responsibilities, serves as a member of the board of directors or as an officer of CCC after Feb. 1, 1961. A point of order by Rep.

Brown against this provision was overruled earlier by the Chair. pp. 9339-44

Rejected the following amendments:

By Rep. Quie, which would change ACP language to eliminate the necessity for county committee approval of 5 percent transfers to SCS for technical services, and which he explained would "change the present procedure whereby the county-by-county transfer of 5 percent of ACP money to SCS when they give technical assistance to ACP would be changed to a direct appropriation" so as "to provide for the expeditious use of this money so that it would not depend on the county-by-county transfer arrangement" and "would allow the full 5 percent moneys as has been the custom in the past to be used for this technical assistance by SCS." pp. 9316-7

By Rep. Lipscomb, 22 to 52, to limit to \$800,000 the amount of Foreign Agricultural Service salaries and expenses appropriation which could be used to purchase foreign currencies. pp. 9318-9

A point of order by Rep. Marshall was sustained against the entire sub-appropriation "Marketing Services" which includes market news, inspection and grading, packers and stockyards activities, and several other regulatory activities, thus eliminating this subappropriation item from the bill. p. 9318

Rep. Gubser submitted, but later withdrew, an amendment which would have provided that no part of any funds appropriated for the agricultural conservation program could be utilized to survey acreage which had been certified by a member of the Society of Professional Engineers. p. 9317

2. WATERSHEDS; FARM CREDIT; GUAM. The Agriculture Committee voted to report (but did not actually report) the following bill: p. D402

H. R. 11615, with amendment, to amend Sec. 4 of the Watershed Protection and Flood Prevention Act so as to authorize Federal assistance on watershed projects prior to the acquisition of land, easements, or rights-of-way needed in connection with works of improvement installed with Federal assistance.

H. R. 9866, with amendment, to authorize this Department to provide a program of agricultural services to Guam.

H. R. 10310, with amendment, to amend the Farm Credit Act of 1933 so as to provide for increased representation by regional banks for cooperatives on the Board of Directors of the Central Bank for Cooperatives.

3. LIBRARY SERVICES. A subcommittee of the Education and Labor Committee voted to report to the full committee H. R. 12125, to amend the Library Services Act so as to extend the appropriation authorization for 5 years. p. D403

4. PERSONNEL; EMPLOYEES COMPENSATION. A subcommittee of the Education and Labor Committee voted to report to the full committee H. R. 10705 (amended and a clean bill is to be introduced), to make various amendments to the Federal Employees' Compensation Act regarding injuries to employees while in the performance of their duties. p. D403

5. ELECTRIFICATION. A number of Representatives commended the work of REA and expressed their congratulations on its 25th anniversary. pp. 9348, 9349-75, 9377

6. HOUSING. Received from the Housing and Home Finance Agency a proposed bill "to amend the National Housing Act to remove certain limitations on the aggregate amount of outstanding mortgage insurance"; to Banking and Currency Committee. p. 9378

May 23, 1960

HOUSE

16. FARM PROGRAM. The Agriculture Committee reported, on May 20 (during adjournment), without amendment H. R. 12261, the Poage farm bill to modify market adjustment and price support programs for wheat and feed grains and to provide a high-protein food distribution program (H. Rept. 1635). p. 10082
17. FARM LABOR. The Agriculture Committee reported without amendment H. R. 12176 to extend the Mexican farm labor program until June 30, 1963. The bill also provides that no authority shall be conferred upon the Secretary of Labor to regulate the wages, hours, perquisites; or other conditions of employment of domestic farmworkers (H. Rept. 1642). p. 10083
18. GUAM. The Agriculture Committee reported with amendment H. R. 9866, to establish Federal agricultural services to Guam (H. Rept. 1639). p. 10083
19. LAND. The Agriculture Committee reported with amendment H. R. 11615, to amend the Watershed Protection and Flood Prevention Act to authorize Federal assistance on watershed projects prior to acquisition of land, easements, or rights-of-way (H. Rept. 1640). p. 10083
20. PUBLIC WORKS APPROPRIATION BILL, 1961. The Appropriations Committee reported on May 20 (during adjournment), without amendment this bill, H. R. 12326 (H. Rept. 1634). The "Daily Digest" states that this bill will be considered on May 24. p. D449
21. PERSONNEL. The Post Office and Civil Service Committee reported with amendment H. R. 9883, the Federal employees pay raise bill (H. Rept. 1636). p. 10082
22. PROPERTY. The Government Operations Committee reported with amendment H. R. 9996, to amend the Federal Property and Administrative Services Act of 1949 so as to prescribe procedures to insure that foreign excess property which is disposed of overseas will not be imported into the U. S. to the injury of the economy of this country. (H. Rept. 1638). p. 10083
23. GOVERNMENT OPERATIONS. Received the sixteenth annual report of the Government Operations Committee (H. Rept. 1637). p. 10083
24. FRUIT AND NUT IMPORTS. The Domestic Marketing Subcommittee of the Agriculture Committee voted to report to the full committee H. R. 3072, relating to the extension of the existing restrictions on imported commodities to lemons, oranges, figs, dates, and walnuts. p. D449
25. RYUKYU ISLANDS. Passed as reported H. R. 1157, to provide for promotion of economic and social development in the Ryukyu Islands by returning to them certain tax monies collected from persons living there. pp. 10061-5
26. RURAL MEDICINE. Rep. Wolf discussed and inserted a number of articles relating to the establishment of a medical center in a rural community which he uses as an example of "Rural America in action" in a program of self-help. pp. 10078-82

ITEMS IN APPENDIX

27. FOREST PRODUCTS. Rep. Ullman inserted an article which emphasizes the importance of continued development of our forest resources and points to the growing variety of uses being found. p. A4333
Rep. Dent inserted a statement present^{ed} on behalf of the hardwood plywood industry. pp. A4375-6
Extension of remarks of Rep. Porter expressing concern over the drop in prices for fir lumber and stating that warehouse stocks are up and that production is running ahead of order. p.A4383
28. RECREATION. Sen. Yarborough inserted an article which favors the establishment of the proposed Padre Island seashore park. pp. A4333-4
29. FARM PROGRAM. Extension of remarks of Rep. Johnson, Wis., stating that "it is an unfortunate fact that of the 17 leading farm commodities in my neighboring State of Minnesota, only calves and potatoes brought a price of better than 90 percent of parity in the month of April," and inserting an article, "Farm Costs Set New High for Second Month in Row, Prices Lag." pp. A4363-4
30. MILK SANITATION. Rep. Johnson, Wis., inserted an editorial commenting on the "ever-increasing support" for the proposed national milk sanitation legislation. p. A4372
31. LIBRARIES. Rep. Fogarty inserted his recent address, "Libraries, Education, and Society," which describes how legislation to aid libraries can enrich society and strengthen the Nation. pp. A4372-4
32. ELECTRIFICATION. Rep. Johnson, Wis., inserted an article, "Twenty-fifth Anniversary for REA -- Eleven Electric Co-ops, Including World's Largest, In This Area." pp. A4374-5

BILLS INTRODUCED

33. PERSONNEL. S. 3583, by Sen. Johnston, S. Car. (by request), and H. R. 12336, by Rep. Murray, to amend Section 507 of the Classification Act of 1949, as amended, with respect to the preservation of basic compensation in downgrading actions; to Senate and House Post Office and Civil Service Committees.
S. 3584, by Sen. Yarborough (by request), to amend the Civil Service Retirement Act so as to provide eligibility for annuities for certain employees who were serving on the date of the enactment of the act of May 22, 1920; to Post Office and Civil Service Committee. Remarks of author. pp. 9978-9
H. R. 12335, by Rep. Murray, and H. R. 12339, by Rep. Rees, Kan., to amend the Federal Employees' Group Life Insurance Act; to Post Office and Civil Service Committee.
H. R. 12337, by Rep. Murray, and H. R. 12340, by Rep. Rees, Kan., to provide for allotment and advancement of pay with respect to civilian employees of the United States in cases of emergency evacuations from certain areas; to Post Office and Civil Service Committee.
H. Res. 537, by Rep. Morrison, providing for the consideration of H. R. 9883, a bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government; to Rules Committee.
34. EDUCATION. H. R. 12328, by Rep. Barden, to extend and improve the special education and rehabilitation services provided by the Federal Government; to Education and Labor Committee.

EXPEDITING CERTAIN WATERSHED PROJECTS

MAY 23, 1960.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H.R. 11615]

The Committee on Agriculture, to whom was referred the bill (H.R. 11615) to amend section 4 of the Watershed Protection and Flood Prevention Act, having considered the same, report favorably thereon with amendment and recommend that the bill do pass.

The amendment is as follows:

Page 1, line 6 strike out "acquire or" and insert "acquire, or with respect to interests in land to be acquired by condemnation".

PURPOSE OF THE BILL

The purpose of the bill is to amend the Watershed Protection and Flood Prevention Act to prevent delay in the start of certain watershed projects where the local agency acquires land or easements for the project by condemnation. It will permit work to start when an order of taking or of possession has been issued by the court rather than awaiting the final adjudication of the condemnation award and actual transfer of the title.

NEED FOR THE LEGISLATION

It has come to the attention of the committee that in certain States crowded court dockets are delaying for as much as 2 years the final adjudication and settlement of condemnation cases even where there is no question about the ultimate transfer of the property and the only issue to be adjudicated is the amount of the award. In the case of most Federal activities of this kind where local interests must acquire property titles as part of the project (Army Engineer projects, Bureau of Reclamation projects, and military housing projects, for example) work on the project may be started as soon as a proper

condemnation suit has been filed and an order of taking or possession issued by a competent court. In the case of the Watershed Protection and Flood Prevention Act, however, the relevant provision of law requires that local interests must "acquire, without cost to the Federal Government, such land, easements, or rights-of-way as will be needed * * *". This has been construed to prevent the Soil Conservation Service from starting work on any of these projects until the final settlement of all condemnation suits involving the required land and easements and the actual transfer of title, even though an order of taking might have been issued by the court months or even years previously.

As amended by the committee the bill will make the language cited above read: "acquire, or with respect to interests in land to be acquired by condemnation provide assurances satisfactory to the Secretary that they will acquire, without cost to the Federal Government, such land, * * *".

The amendment is to apply only to those cases in which land is being obtained by condemnation and where a formal order of taking or possession has been issued by a court of competent jurisdiction.

COST

There will be no additional cost to the Government from enactment of this bill and, in fact, it is possible that there may be substantial administrative savings compared to the expense of keeping a project in active status but not being able to start construction thereon for a period of months or years.

DEPARTMENTAL APPROVAL

As indicated by the following departmental report, the Department of Agriculture has no objection to the enactment of the bill and spokesmen for the Soil Conservation Service testifying at the hearing stated that its enactment would substantially expedite their work in connection with some projects.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 27, 1960.

HON. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives.

DEAR CONGRESSMAN COOLEY: This is in reply to your request of April 8, 1960, for the views of this Department on H.R. 11615, a bill to amend section 4 of the Watershed Protection and Flood Prevention Act.

This Department interposes no objection to enactment of the bill.

The bill would amend the Watershed Protection and Flood Prevention Act to as to give the Secretary of Agriculture administrative leeway similar to that provided the Secretary of the Army under the Flood Control Acts and the Secretary of the Interior under the Small Reclamation Projects Act in determining when a local organization has complied with the requirement that it acquire without cost to the Federal Government such land, easements, or rights-of-way as will be needed in connection with works of improvement installed with Federal assistance.

The purpose of the bill is to permit the Secretary of Agriculture to proceed to provide Federal assistance for the installation of works of improvement without waiting for final acquisition by the local organization of title to the necessary lands where he has satisfactory assurance that such title will be acquired.

In California, as in many other States, State law provides for the entry of a court order of possession under which governmental bodies proceed with public works on the land, although title to the land does not pass until compensation is determined and final judgment is rendered at some later date.

Under section 3 of the Flood Control Act of 1936 (33 U.S.C. 701c) the Corps of Engineers may proceed with works of improvement after such an order of possession has been entered. Under section 4(b) of the Small Reclamation Projects Act of 1956 (43 U.S.C. 442d(b)) the Secretary of the Interior may proceed with projects on the basis of such an order. Both of these laws provide that satisfactory assurance that the land will be acquired is sufficient, and the work need not be delayed until title is perfected.

Under section 4 of the Watershed Protection and Flood Prevention Act the Secretary of Agriculture can proceed with installation assistance only if title has been finally acquired. This amendment would give him the same authority to proceed on satisfactory assurance that title will be acquired as section 3 of the 1936 act gives to the Secretary of the Army and section 4(b) of the 1956 act gives to the Secretary of the Interior.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

E. L. PETERSON,
Assistant Secretary.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

WATERSHED PROTECTION AND FLOOD PREVENTION ACT, AS AMENDED

AN ACT To authorize the Secretary of Agriculture to cooperate with States and local agencies in the planning and carrying out of works of improvement for soil conservation, and for other purposes.

* * * * *

SEC. 4. The Secretary shall require as a condition to providing Federal assistance for the installation of works of improvement that local organizations shall—

(1) *acquire, or provide assurances satisfactory to the Secretary that they will acquire*, without cost to the Federal Government such land, easements, or rights-of-way as will be needed in connection with works of improvement installed with Federal assistance;

(2) assume (A) such proportionate share, as is determined by the Secretary to be equitable in consideration of the direct

identifiable benefits, of the costs of installing any works of improvement, involving Federal assistance, which is applicable to the agricultural phases of the conservation, development, utilization, and disposal of water or for fish and wildlife development, and (B) all of the cost of installing any portion of such works applicable to other purposes except that any part of the construction cost (including engineering costs) applicable to flood prevention and features relating thereto shall be borne by the Federal Government and paid for by the Secretary out of funds appropriated for the purposes of this Act;

(3) make arrangements satisfactory to the Secretary for defraying costs of operating and maintaining such works of improvement, in accordance with regulations presented by the Secretary of Agriculture;

(4) acquire, or provide assurance that landowners or water users have acquired, such water rights, pursuant to State law, as may be needed in the installation and operation of the work of improvement;

(5) obtain agreements to carry out recommended soil conservation measures and proper farm plans from owners of not less than 50 per centum of the lands situated in the drainage area above each retention reservoir to be installed with Federal assistance; and

(6) submit a plan of repayment satisfactory to the Secretary for any loan or advancement made under the provisions of section 8.



Union Calendar No. 726

86TH CONGRESS
2D SESSION

H. R. 11615

[Report No. 1640]

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 1960

Mr. CLEM MILLER introduced the following bill; which was referred to the Committee on Agriculture

MAY 23, 1960

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend section 4 of the Watershed Protection and Flood Prevention Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That paragraph (1) of section 4 of the Watershed Protec-
4 tion and Flood Prevention Act (68 Stat. 666), as amended,
5 is amended to read as follows:

6 “(1) ~~acquire or~~ *acquire, or with respect to interests*
7 *in land to be acquired by condemnation* provide assur-
8 ances satisfactory to the Secretary that they will ac-
9 quire, without cost to the Federal Government, such
10 land, easements, or rights-of-way as will be needed in

86TH CONGRESS
2D SESSION

H. R. 11615

[Report No. 1640]

A BILL

To amend section 4 of the Watershed Protection
and Flood Prevention Act.

By Mr. CLEM MUMFORD

APRIL 6, 1960

Referred to the Committee on Agriculture

MAY 23, 1960

Reported with an amendment, committed to the Com-
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1 connection with works of improvement installed with
2 Federal assistance;”.

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HIGHLIGHTS: House committee voted to report sugar bill. House committee reported bill to extend minimum national quota for extra long staple cotton. Senate appointed conferees on industrial uses research bill. House received supplemental appropriation estimate for research on chemical residues. House agreed to conference report on Treasury-Post Office appropriation bill. Rep. Hoeven introduced sugar bill.

SENATE

1. **RESEARCH.** Conferees were appointed on S. 690, the industrial uses research bill to create an Agricultural Research and Development Commission. House conferees have not yet been appointed. pp. 10711-2
2. **WATERSHEDS.** The Agriculture and Forestry Committee reported with amendment S. 3383, to amend Sec. 4 of the Watershed Protection and Flood Prevention Act so as to authorize Federal assistance on watershed projects prior to acquisition of land, easements, or rights-of-way needed in connection with works of improvement (S. Rept. 1495). p. 10677

The Agriculture and Forestry Committee approved the following watershed projects: Bad Axe, Wis.; Badger Creek, Iowa; Fishing Creek, S. C.; Marsh Creek,

Ky. and Tenn.; Mill-Picayune Creek, Iowa; Persimmon and Burnt Corn Creek, Miss.; and Tabo Creek, Mo. p. D484

3. TRANSPORTATION. The Interstate and Foreign Commerce Committee reported without amendment H. R. 10840, to extend for 1 year, until June 30, 1961, the period during which ocean steamship lines may, with the approval of the Federal Maritime Board, utilize the two-rate system of charging for transportation service (S. Rept. 1497). p. 10677
4. POSTAL RATES; INFORMATION. The Post Office and Civil Service Committee reported with amendments H. R. 4595, to clarify and make uniform certain provisions of law relating to special postage rates for educational, cultural, and library materials (S. Rept. 1496). p. 10677
5. MILITARY CONSTRUCTION. Both Houses agreed to the conference report on H. R. 10777, the military construction authorization bill. This bill will now be sent to the President. pp. 10704-7, 10744-6
6. WOOL IMPORTS. Both Houses appointed conferees on H. R. 9322, to make permanent the existing suspension of duties on certain coarse wool. pp. 10707, 10747
7. PERSONNEL; PROPERTY. Both Houses appointed conferees on H. R. 9881, to extend for two years the existing provisions of law relating to the free importation of personal and household effects brought into the U. S. under Government orders. pp. 10707, 10747
8. FREIGHT FORWARDERS; TRANSPORTATION. The Interstate and Foreign Commerce Committee voted to report (but did not actually report) H. R. 5068, to amend the Shipping Act of 1916 to provide for licensing independent freight forwarders. p. D484
9. FORESTRY. H. R. 7681, to provide for the transfer from Interior to this Department of certain authorities for the exchange or sale of forest land and timber, was made the unfinished business. p. 10741
10. FARM MACHINERY. Sen. Proxmire inserted a newspaper article discussing the increased imports of tractors and other farm machinery and the possible effects of such imports on the production of farm machinery in this country. pp. 10715-7
11. LEGISLATIVE ACCOMPLISHMENTS. Sen. Johnson inserted a summary of legislation passed during the second session of this Congress, as of June 1, 1960. pp. 10740-1
12. LEGISLATIVE PROGRAM. Sen. Mansfield stated that it was unlikely that wheat legislation would be considered this week (p. 10675). Sen. Johnson announced that the calendar will be called today, June 2 (p. 10740). Sen. Johnson listed legislation he expects to be enacted during the remainder of this session, including farm legislation, a bill to increase minimum wage rates, and the mutual security bill (p. 10741).

HOUSE

13. APPROPRIATIONS. Received from the President a supplemental estimate for the fiscal year 1961 (House Doc. 403); to Appropriations Committee. This document includes \$1,500,000 for the Agricultural Research Service for additional research

AVOIDANCE OF DELAYS IN WATERSHED PROJECT
STARTS

JUNE 1, 1960.—Ordered to be printed

MR. EASTLAND, from the Committee on Agriculture and Forestry,
submitted the following

REPORT

[To accompany S. 3383]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 3383) to amend section 4 of the Watershed Protection and Flood Prevention Act, having considered the same, report thereon with a recommendation that it do pass with an amendment.

This bill would permit Federal assistance for the installation of watershed projects under the Watershed Protection and Flood Prevention Act to proceed upon satisfactory assurance that the local organization will acquire the necessary lands, without waiting for the final acquisition of title. It is intended to apply only to those cases in which land is being acquired by condemnation and where a formal order of taking or possession has been issued by a court of competent jurisdiction; and the committee amendment would make it clear that it is to be restricted to lands to be acquired by condemnation. A fuller explanation is contained in the favorable report from the Department of Agriculture, which is attached.

There will be no additional cost to the Government from enactment of this bill and, in fact, it is possible that there may be substantial administrative savings compared to the expense of keeping a project in active status but not being able to start construction thereon for a period of months or years.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 27, 1960.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
U.S. Senate.

DEAR SENATOR ELLENDER: This is in reply to your request of April 20, 1960, for the views of this Department on S. 3383, a bill to amend section 4 of the Watershed Protection and Flood Prevention Act.

This Department interposes no objection to enactment of the bill.

The bill would amend the Watershed Protection and Flood Prevention Act so as to give the Secretary of Agriculture administrative leeway similar to that provided the Secretary of the Army under the flood control acts and the Secretary of the Interior under the Small Reclamation Projects Act in determining when a local organization has complied with the requirement that it acquire without cost to the Federal Government such land, easements, or rights-of-way as will be needed in connection with works of improvement installed with Federal assistance.

The purpose of the bill is to permit the Secretary of Agriculture to proceed to provide Federal assistance for the installation of works of improvement without waiting for final acquisition by the local organization of title to the necessary lands where he has satisfactory assurance that such title will be acquired.

In California, as in many other States, State law provides for the entry of a court order of possession under which governmental bodies proceed with public works on the land, although title to the land does not pass until compensation is determined and final judgment is rendered at some later date.

Under section 3 of the Flood Control Act of 1936 (33 U.S.C. 701e) the Corps of Engineers may proceed with works of improvement after such an order of possession has been entered. Under section 4(b) of the Small Reclamation Projects Act of 1956 (43 U.S.C. 422d(b)) the Secretary of the Interior may proceed with projects on the basis of such an order. Both of these laws provide that satisfactory assurance that the land will be acquired is sufficient, and the work need not be delayed until title is perfected.

Under section 4 of the Watershed Protection and Flood Prevention Act the Secretary of Agriculture can proceed with installation assistance only if title has been finally acquired. This amendment would give him the same authority to proceed on satisfactory assurance that title will be acquired as section 3 of the 1936 act gives to the Secretary of the Army and section 4(b) of the 1956 act gives to the Secretary of the Interior.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

E. L. PETERSON,
Assistant Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

WATERSHED PROTECTION AND FLOOD PREVENTION ACT, AS AMENDED

AN ACT To authorize the Secretary of Agriculture to cooperate with States and local agencies in the planning and carrying out of works of improvement for soil conservation, and for other purposes.

* * * * *

SEC. 4. The Secretary shall require as a condition to providing Federal assistance for the installation of works of improvement that local organizations shall—

(1) *acquire, or with respect to interests in land to be acquired by condemnation provide assurances satisfactory to the Secretary that they will acquire,* without cost to the Federal Government such land, easements, or rights-of-way as will be needed in connection with works of improvement installed with Federal assistance;

(2) assume (A) such proportionate share, as is determined by the Secretary to be equitable in consideration of the direct identifiable benefits, of the costs of installing any works of improvement, involving Federal assistance, which is applicable to the agricultural phases of the conservation, development, utilization, and disposal of water or for fish and wildlife development, and (B) all of the cost of installing any portion of such works applicable to other purposes except that any part of the construction cost (including engineering costs) applicable to flood prevention and features relating thereto shall be borne by the Federal Government and paid for by the Secretary out of funds appropriated for the purposes of this Act;

(3) make arrangements satisfactory to the Secretary for defraying costs of operating and maintaining such works of improvement, in accordance with regulations presented by the Secretary of Agriculture;

(4) acquire, or provide assurance that landowners or water users have acquired, such water rights, pursuant to State law, as may be needed in the installation and operation of the work of improvement;

(5) obtain agreements to carry out recommended soil conservation measures and proper farm plans from owners of not less than 50 per centum of the lands situated in the drainage area above each retention reservoir to be installed with Federal assistance; and

(6) submit a plan of repayment satisfactory to the Secretary for any loan or advancement made under the provisions of section 8.

Calendar No. 1556

86TH CONGRESS
2D SESSION

S. 3383

[Report No. 1495]

IN THE SENATE OF THE UNITED STATES

APRIL 19, 1960

Mr. ENGLE introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

JUNE 1, 1960

Reported by Mr. EASTLAND, with an amendment

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend section 4 of the Watershed Protection and Flood Prevention Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That paragraph (1) of section 4 of the Watershed Protec-
4 tion and Flood Prevention Act (68 Stat. 666), as amended,
5 is amended to read as follows:

6 “(1) ~~acquire or~~ *acquire, or with respect to interests*
7 *in land to be acquired by condemnation* provide assur-
8 ances satisfactory to the Secretary that they will acquire,
9 without cost to the Federal Government, such land,
10 easements, or rights-of-way as will be needed in connec-

1 tion with works of improvement installed with Federal
2 assistance;”.

Calendar No. 1556

86TH CONGRESS
2D Session

S. 3383

[Report No. 1495]

A BILL

To amend section 4 of the Watershed Protection
and Flood Prevention Act.

By Mr. ENGLE

APRIL 19, 1960

Read twice and referred to the Committee on
Agriculture and Forestry

JUNE 1, 1960

Reported with an amendment

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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HIGHLIGHTS: House Rules Committee cleared Mexican farm labor bill. House passed: Multiple use forestry management bill; bill to revise Farmers Home Administration laws. House appointed conferees on industrial uses research bill.

SENATE

1. FOREIGN AID. Passed with an amendment S. 3074, to provide for participation of the United States in the International Development Association (pp. 10829-44, 10845-50). Sen. Fulbright stated that it is contemplated that the United States would use a portion of the foreign currencies accumulating under title L of Public Law 480 in supporting the work of the Association (p. 10830).
2. PERSONNEL. Passed as reported H. R. 7577, to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment. pp. 10802-3
3. RECLAMATION. Agreed to the amendments of the House to S. 1892, to authorize the Secretary of the Interior to construct and operate the Norman, Okla., reclamation project. This bill will now be sent to the President. pp. 10794-5
4. POSTAL SERVICE. Passed without amendment H. R. 10996, to authorize the use of certified mail for the transmission or service of matter required by certain Federal laws to be transmitted or served by registered mail. This bill will now be sent to the President. p. 10810

5. IMPORT DUTIES. Passed as reported H. R. 11748, to provide a tariff rate of 1 1/10 cents per pound on the importation of fresh or frozen coconut meat, and to provide for the free importation of tight barrelheads of softwood. pp. 10810-1
6. ELECTRIFICATION. Sen. Randolph commended the United Utilities of West Virginia for installing a rural telephone system with the help of an REA loan, stating that it "is a dramatic example of how private enterprise and the Federal Government can work together for the betterment of our society." p. 10796
7. WATER RESOURCES; RECLAMATION. Sen. Anderson inserted a recent address by Commissioner of Reclamation, Floyd E. Dominy, discussing "reclamation's future program" and pointing up the problems involved in furnishing adequate water for the growing population. pp. 10795-6
8. CULTURAL EXCHANGES; TRADE FAIRS. Both Houses received from the President the seventh semiannual report of operations under the International Cultural Exchange and Trade Fair Participation Act of 1958. pp. 10787, 10879
9. PATENTS. Sen. Javits inserted a Central New York Patent Law Association resolution opposing enactment of S. 3156, defining rights under inventions arising from research conducted under projects financed by the U. S. p. 10788
10. FISH AND WILDLIFE. Passed over, at the request of Sen. Keating, H. R. 2565, to promote effectual planning, development, maintenance, and coordination of wildlife, fish and game conservation and rehabilitation on military reservations. p. 10811
11. FOREIGN TRAVEL. Passed over, at the request of Sen. Prouty, S. 3102, to provide for the establishment of an Office of International Travel and Tourism and a Travel Advisory Board. p. 10811
12. WATERSHEDS. Passed over, at the request of Sen. Engle, S. 3383, to amend Sec. 4 of the Watershed Protection and Flood Prevention Act so as to authorize Federal assistance on watershed projects prior to acquisition of land, easements, or rights-of-way needed in connection with works of improvement. p. 10811
13. POSTAL RATES; INFORMATION. Passed over, at the request of Sen. Engle, H. R. 4595, to clarify and make uniform certain provisions of law relating to special postage rates for educational, cultural, and library materials. p. 10811
14. TRANSPORTATION. Passed over, at the request of Sen. Engle, H. R. 10840, to extend the period during which ocean steamship lines may utilize the two-rate system of charging for transportation service. p. 10811
15. LEGISLATIVE PROGRAM. Sen. Johnson announced that the following bills will be considered today, June 3: S. 3044, to authorize the national forests to be managed under principles of multiple use and sustained yield; H. R. 7681, transfer of certain authorities for the exchange or sale of forest land and timber from Interior to USDA; and S. 2583, to authorize reimbursement of owners of land acquired by U. S. for their moving expenses. p. 10851

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER

The bill (H.R. 2585) to promote effectual planning, development, maintenance, and coordination of wildlife, fish and game conservation and rehabilitation on military reservations was announced as next in order.

Mr. KEATING. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3102) to strengthen the domestic and foreign commerce of the United States by providing for the establishment of an Office of International Travel and Tourism and a Travel Advisory Board was announced as next in order.

Mr. PROUTY. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 3375) to encourage and stimulate the production and conservation of coal in the United States through research and development by authorizing the Secretary of the Interior to contract for coal research, and for other purposes was announced as next in order.

Mr. ENGLE. Mr. President, although I favor the bill, it is not calendar business, and I ask that it be passed over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. ENGLE. Mr. President, I ask that the next 3 measures on the calendar be passed over, because no committee reports are available.

The PRESIDING OFFICER. The bills will be passed over.

The bills passed over are as follows:

S. 3383, to amend section 4 of the Watershed Protection and Flood Prevention Act.

H.R. 4595, to clarify and make uniform certain provisions of law relating to special postage rates for educational, cultural and library materials, and for other purposes.

H.R. 10840, to amend Public Law 85-626 relating to dual rate contract agreement.

Mr. MAGNUSON. Mr. President, was Calendar No. 1554, Senate bill 3102, passed over by request?

Mr. ENGLE. Yes. The distinguished Senator from New York [Mr. KEATING] requested that the bill be passed over.

Mr. KEATING. No; it was the Senator from Vermont [Mr. PROUTY].

Mr. MAGNUSON. Was that done by request, or is there some objection?

Mr. PROUTY. The bill involves a \$5 million authorization. I feel that it is not calendar business.

Mr. MAGNUSON. What is the situation with respect to Calendar No. 1553, House bill 2585?

Mr. KEATING. I asked that that bill be passed over.

Mr. MAGNUSON. Was that by request?

Mr. KEATING. That is by request of the New York State authorities, I may

say to my distinguished friend. I think it is an appropriate matter for debate at greater length. I do not think it is appropriate calendar business.

Mr. MAGNUSON. What was done with respect to Calendar No. 1558, House bill 10840?

Mr. ENGLE. The last three bills on the calendar were passed over because committee reports are not available.

Mr. MAGNUSON. Does that apply to Calendar No. 1558, House bill 10840?

Mr. ENGLE. That is correct. Committee reports are not available with respect to order Nos. 1556, 1557, and 1558, being, respectively, Senate bill 3383, House bill 4595, and House bill 10840.

Mr. JOHNSTON of South Carolina. Mr. President, I think it should be made clear that those bills will be on the calendar at the beginning of the next call of the calendar. They are being passed over because no committee reports are available at present.

Mr. ENGLE. I ask unanimous consent that they be called on the next call of the calendar. They are being passed over at this time because of the absence of committee reports.

Mr. JOHNSTON of South Carolina. I think that should be made clear.

Mr. ENGLE. That is what I intended. I ask that those bills be placed at the beginning of the next call of the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENGLE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSIDERATION OF U-2 FLIGHT

Mr. WILEY. Mr. President, the U-2 flight, on which Mr. Khrushchev took a propaganda "high ride" at Paris, is also serving political opportunists in this country.

Despite the dangers, the possible reflections on our national prestige—the risk of dividing our country—we find that some individuals regrettably are still attempting to make political hay out of the situation.

For their benefit—and, I hope, edification—let us review the facts in the case.

One would think, of course, that in our domestic national life, when we have been insulted by a guy with an international criminal record extending around the globe, it would not be necessary to caution against providing him further ammunition for his propaganda blasts.

In view of the continued efforts to pin the failure of the Paris meetings, torpedoed by Khrushchev, on somebody in this country, however, let us take a look at the facts of life.

First. For several years the United States has carried on data-gathering, nonaggressive, U-2 flights over Soviet territory to provide us with information

necessary to protect ourselves, and the free world, from sneak attack resulting from clandestine military buildups within the Soviet Union. These flights have been considered essential by our military and intelligence experts for our security. Even the politically motivated critics admit the necessity of such information-gathering activities.

Second. Did Khrushchev know about the flights prior to the Paris conference? Yes. Following up the meeting in Berlin, he admitted such knowledge.

Third. Why, then, did the Soviet Premier torpedo the meeting?

For several reasons:

The Western Powers stood shoulder to shoulder against making one-sided concessions favoring the Communists in Berlin or anywhere else.

Behind the Iron Curtain, Mr. Khrushchev has his own troubles which include economic problems and unrest among the intellectuals; in addition, the military chaperon for Khrushchev at Paris—Soviet Defense Minister Malinovsky—in all likelihood reflects a strong military voice—supporting a tough, anti-West policy—in Soviet internal affairs.

Mao Tse-tung, from all reports, also has been prodding Khrushchev for a tougher line against the West.

The Soviet Premier, too, was, I believe, afraid of the favorable impact which President Eisenhower would have on the people of the Soviet Union if he visited them, as he had been invited to do. Consequently, Mr. Khrushchev "drummed up" an excuse to withdraw the invitation.

And, finally, after all his bragging about the rocket-missile power of the Soviet armed services, Mr. Khrushchev was probably red faced—the way we, not the Soviets, mean it—by the freedom with which we have been overflying the country.

Fourth. What about the alert ordered by Secretary Gates in Paris during the charades of Khrushchev. Personally, I was gratified to know that our defenses were alert and that our guardians of our security were "on the job"—particularly in the face of the violent, almost erratic, conduct of the Soviet Premier, spewing about insults, threats, and condemnation.

Fifth. What about the U.S. handling of the flight?

Was NASA to blame for providing a "cover story" when it was known that the U-2 was off schedule—but there was no definite knowledge as to its whereabouts, or that it had come down in Soviet territory? No. Under such circumstances, the providing of a cover story is standard procedure.

Was CIA to blame for conducting such flights? Definitely not. The Central Intelligence Agency, created by Congress after World War II, to provide intelligence essential to our security—would indeed be derelict in its duty if it failed to provide us with the necessary information for our security.

PRESIDENT EISENHOWER ADOPTS COURAGEOUS POLICY

Was President Eisenhower to blame, first, either for authorizing the flights originally; or, second, for publicly as-

suming responsibility for the decision to permit such overflying.

In acknowledging his responsibility, President Eisenhower—in my humble opinion—took a courageous step, establishing a new candiddness, on a previously hush-hush topic in international affairs.

Only history, of course, will portray the real significance of the decision.

Personally, however, I believe it is high time the nations of the world quit playing nuclear missile hide and seek. Why? The stakes are too high. The fate of nearly 3 billion people around the globe hangs in the balance.

As a world seeking to avoid a devastating nuclear missile war, we can no longer afford to fake about, or sweep under the rug, the necessity of protecting non-aggressive nations against surprise attack, as long as war-oriented, domination-bent countries, like the Communist-dominated ones, exist on earth.

Obsolete, also, are the so-called rules of the game for carrying on such information-gathering activities; these require that a nation, if detected in information-gathering activities, deny them at high levels or shunt responsibility to lower echelons.

Historically, almost all nations—in the spirit of self-preservation, particularly in the face of threats—have found it necessary to collect data essential to their security.

At the United Nations, Ambassador Lodge reviewed only a few of the many ways in which the Communists are engaged in sabotage, espionage, subversion, and other activities.

Overall, however, I believe it is high time to stop playing this dangerous game that could spell disaster in the world.

In a forthright effort to make the Soviet Union face up to these facts of life, the President "laid it on the line," to the Soviet Union, to the United Nations, and to the world. Again, he stressed the need for open skies surveillance.

Now, the U.N. has a great responsibility for attempting to get approval of the open skies plan or alternative proposals to create a world in which no country need fear surprise attack. The purpose would be to enable nations to sleep nights peacefully—rather than expect a rain of nuclear-capped missiles to drop down on them out of space.

If the U.N. fails to act—if the Soviet Union fails to comply with an almost universal opposition to toying with or threatening the lives of millions of people—then history may well hold them accountable for gross negligence and perhaps wholesale massacre.

HEARINGS BY THE FOREIGN RELATIONS COMMITTEE

During the past days, the Foreign Relations Committee has been conducting hearings under the auspices of reviewing U.S. policy relating to the U-2 flight and the unfortunate outcome of the Paris conference.

At the outset, I supported the idea of hearings on the topic. As a principal, I felt the Members of Congress—particularly of the Foreign Relations Committee—and the American people—have a right to know the facts behind the case.

Moreover I felt certain the executive branch would cooperate fully—as they have—in providing the necessary information. Unfortunately, the complexion of the hearings—instead of attempting to get at the facts—sometimes has taken on the features of a search for political needles in a globally explosive haystack. We recognize, of course, that 1960 is a campaign year. However, the eyes and ears of the Communist world—overtly and covertly—are attuned to the hearings, as well as to the public discussions, particularly by political candidates—on our role in the U-2 incident; too, they are ready and willing to capitalize on such information for propaganda purposes.

Consequently, the challenges of our time demand of all of us—particularly in public life—a heroic, self-disciplined effort to serve national, ahead of personal, objectives.

Recently the Washington Star published an editorial entitled "Tass on the Job." Reflecting the way the official Soviet news agency is attuned to our conduct here in this country, particularly on the subject of the U-2 flight, I request unanimous consent to have the editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TASS ON THE JOB

The Washington Bureau of Tass, the official Soviet news agency, is not letting any grass grow under his feet. Certainly the man in charge—Mikhail R. Sagatelyan—has shown splendid initiative in connection with the Senate Foreign Relations Committee and its inquiry into the whys and wherefores of the downing of our U-2 spy plane deep inside Russia.

At any rate, having heard of the committee's decision to publish censored copies of the testimony before it, Mr. Sagatelyan has lost not a minute in ordering the official transcripts. These promise to be highly informative, and they should cost the Kremlin only a few dollars, relatively speaking. The whole thing, obviously, will be a tremendous bargain in that sense—so much so that Mr. Sagatelyan, if he has the heart of a sport, or is under instructions from the blow-hot-blow-cold Kremlin to ease tensions temporarily in Washington, ought to order drinks on the house for everybody he happens to find in the Press Club bar.

Anyhow, an American correspondent would do the same in Moscow if the Kremlin served up little tidbits of information about a similar investigation into Nikita Khrushchev's conduct of affairs before, during, and after the abortive summit conference in Paris. Why can't we have this sort of reciprocity? We pause for reply from Moscow, and also from Mr. Sagatelyan right here in our own hometown.

BORINQUEN HOME CORP.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1452, S. 2770. I understand that the objection to its consideration, raised on the call of the calendar, has been withdrawn.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2770) for the relief of Borinquen Home Corp.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 6, after "\$19,204.14", to strike out the comma and "together with interest on such sum at the rate of 6 per centum per annum from August 7, 1948, to the date of the enactment of this Act", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Borinquen Home Corporation of San Juan, Puerto Rico, the sum of \$19,204.14. The payment of such sum shall be in full satisfaction of all claims of such Corporation against the United States for compensation or work performed by such Corporation pursuant to an agreement entered into between the Corporation and the Tenth Naval District, Department of the Navy, for the construction of two storm sewers for the use of the San Patricio Naval Project: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MODIFICATION OF TRUST INSTRUMENT EXECUTED BY JAMES B. WILBUR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1485, S. 1321.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1321) to authorize the Attorney General to consent on behalf of the Library of Congress Trust Fund Board to a modification of a trust instrument executed by James B. Wilbur.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Attorney General of the United States is authorized and directed to take such action, on behalf of and in the name of the Library of Congress Trust Fund Board, as he may determine to be necessary to give the consent of that Board to the entry of an appropriate decree for such modification of the terms of a supplemental indenture executed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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For actions of June 6, 1960
86th-2d, No. 102

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HIGHLIGHTS: House committee reported sugar bill. House passed bills to: Extend minimum quota for extra long staple cotton; extend Defense Production Act. House passed over agricultural attache assignment bill. Senate agreed to conference report on Treasury-Post Office appropriation bill. Senate subcommittee approved Labor-HEW appropriation bill.

SENATE

1. TREASURY-POST OFFICE APPROPRIATION BILL, 1961. Agreed to the conference report on this bill, H. R. 10569, and rejected, by a vote of 49 to 25, a motion by Sen. Robertson to recede from one amendment in disagreement. Agreed to a motion by Sen. Williams, Del., to insist upon its position on the amendment in disagreement, and conferees were appointed on the amendment. pp. 11019-32
2. LABOR-HEW APPROPRIATION BILL, 1961. A subcommittee of the Appropriations Committee marked up and approved for full committee consideration this bill, H. R. 11390. p. D506
3. WOOL. The Judiciary Committee reported without amendment S. J. Res. 187, to provide for the designation of the month of September 1960, as National Wool Month (S. Rept. 1509). p. 10998
4. PUBLIC WORKS; FLOOD CONTROL. The Public Works Committee reported with amendments H. R. 7634, to authorize the construction, repair, and preservation of certain

public works on rivers and harbors for navigation and flood control (S. Rept. 1524) (p. 10998). The "Daily Digest" states that the Public Works Committee "approved a new Title 3 (relating to the evaluation of recreational benefits)" for inclusion in this bill (p. D507).

5. FARM PROGRAM. Sen. Keating inserted an address by Gov. Rockefeller, N. Y., discussing the economic growth potential of the U. S., and stating that "We must reorient our farm program to the goal of useful and more efficient production. A large number of low-income farmers presently account for only a small portion of agricultural output. We need a program that will really help these farmers to increase their productiveness by finding other opportunities with greater rewards to themselves and to the national economy. Here, too, we would advance the cause of economic growth." pp. 11099-13
6. POSTAL RATES; INFORMATION. Sen. Robertson inserted the testimony of the editor of the Southern Planter before the Senate Post Office and Civil Service Committee discussing the value of farm papers to the rural population, and opposing a proposed postal rate increase on such papers. pp. 11015-6
7. RECLAMATION. Agreed to S. Con. Res. 109, requesting the President to return S. 1892, to authorize construction of the Norman, Okla., reclamation project, for a correction in the engrossed copy of the bill (p. 11052). The resolution had been submitted by Sen. Mansfield earlier (p. 10998).
8. ART COUNCIL; INFORMATION. A subcommittee of the Labor and Public Welfare Committee voted to report to the full committee S. 447, to provide for the establishment of a Federal Advisory Council on the Arts to assist in the growth and development of the fine arts. p. D507

HOUSE

9. SUGAR. The Agriculture Committee reported with amendment H. R. 12311, to extend for one year the Sugar Act of 1948 (H. Rept. 1746). p. 11093
10. PERSONNEL. Passed over without prejudice, at the request of Rep. Gross, H. R. 8074, to permit the assignment of agricultural attaches to positions in the U. S. for a maximum of four years without reduction in grade. p. 11059
Agreed to the Senate amendments to H. R. 7577, to amend title 28 of the U. S. Code to provide for the defense of suits against Federal employees arising out of their operation of motor vehicles in the scope of their employment. This bill will now be sent to the President. pp. 11072-3
Passed without amendment H. R. 4271, to validate the salary overpayments made to certain officers and employees incident to the salary adjustment provisions of the Federal Employees Salary Increase Act of 1955. pp. 11073-4
Conferees were appointed on H. R. 4283, to provide that certain officers of the executive branch of the Federal Government appointed by the President and confirmed by the Senate shall be exempt from the District of Columbia Income and Franchise Tax Act of 1947. Senate conferees have not yet been appointed. p. 11088
11. WATERSHEDS. Passed as reported H. R. 11615, to amend the Watershed Protection and Flood Prevention Act so as to authorize Federal assistance on watershed projects prior to the acquisition of land, easements, or rights-of-way. p. 11063

Mr. GROSS. Will the conference be held in some foreign country, so that another junketing delegation can be put together to go?

Mr. MORGAN. I think most of these conferences are held in Switzerland.

Mr. GROSS. That is a good place for a conference. Are there any counterpart funds in Switzerland?

Mr. MORGAN. There are no counterpart funds in Switzerland. We have never given aid to Switzerland.

Mr. GROSS. But there are counterpart funds in the countries between here and Switzerland, is that correct?

Mr. MORGAN. I imagine there are some left in some European countries.

Mr. GROSS. I assume with this increase and with our restoration to good standing in this organization we can expect another bunch of junketeers to take off?

Mr. MORGAN. No, I do not think this calls for Members of Congress. These meetings deal with technical matters and are attended almost entirely by experts and technicians.

Mr. GROSS. On the resolution just passed, does the gentleman envision a delegation of Members of Congress going over to Italy to help celebrate some centennial?

Mr. MORGAN. I cannot answer that question. The resolution does not call for any Member of Congress to go. It deals with extending official greetings and indicates that Congress favors official U.S. participation in this centennial in Italy.

Mr. GROSS. Does the gentleman know of any reason why the organization in the pending bill could not be administered through the United Nations, or is it not that kind of administration?

Mr. MORGAN. No, I do not think it could be administered through the United Nations. Many U.N. members do not belong to it. It exists to deal with patents, trademarks and related matters and nothing else.

Mr. GROSS. Or any other subsidiary organization of the U.N.? There are many of them. The gentleman does not know of any other organization that could administer this?

Mr. MORGAN. This is a real topnotch organization. I think it has done an excellent job in the protection of patents and trademarks all over the world. I am sure it is of a great deal of importance to many citizens of this country. As I said, we have been a member since 1883.

Mr. GROSS. With the gentleman's explanation that there is no other organization capable of handling this, with his inference that not even the United Nations is capable, and since we have been a member all these years, I withdraw my reservation of objection, Mr. Speaker.

Mr. HOFFMAN of Michigan. Reserving the right to object, Mr. Speaker, I want to ask my colleague, the gentleman from Iowa [Mr. Gross], who has done so much and does so much every day for economy, when he was talking he referred to junketeers. Who does the gentleman mean? Who was he talking about?

Mr. GROSS. The gentleman has been a Member of the House considerably

longer than I have. I think he knows to whom and what I am referring.

Mr. HOFFMAN of Michigan. I cannot read the gentleman's mind, but I know there are many Congressmen who sincerely seek information and bring it back. Not everyone who goes abroad is a junketeer, that is, if he is going as a Member of the Congress.

Mr. GROSS. That could be.

Mr. HOFFMAN of Michigan. I am getting a little touchy with the press getting after us. I think they should. But the gentleman will admit that somebody is honest in the Congress.

Mr. GROSS. If the gentleman thinks they should get after Congress, why is he so touchy about it?

Mr. HOFFMAN of Michigan. I think they are getting after us often enough, but sometimes they hit somebody. They have not hit me, or you, so far as I know, have they?

Mr. GROSS. At least the taxpayers ought to get value received.

Mr. HOFFMAN of Michigan. I do not like to have a Member characterize everybody as a junketeer. We have got a bad enough name as it is.

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the Department of State (a) the sum of \$10,514 for payment by the United States of certain contributions for the support of the International Bureau for the Protection of Industrial Property for the period beginning July 1, 1950, and extending through the fiscal year expiring June 30, 1959; and

(b) Such sums, not to exceed \$25,000 annually, as may be required thereafter for the payment by the United States of its proportionate share of the expenses of said international bureau.

With the following committee amendment:

Page 1, line 9, strike out "\$25,000" and insert "\$7,250".

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING AND REQUESTING THE PRESIDENT TO ISSUE A PROCLAMATION WITH RESPECT TO THE 1960 PACIFIC FESTIVAL

The Clerk called the resolution (H.J. Res. 672) authorizing and requesting the President to issue a proclamation with respect to the 1960 Pacific Festival, and for other purposes.

There being no objection, the Clerk read the resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation inviting foreign nations to participate in the 1960 Pacific Festival which is

being held at San Francisco, California, from September 9, 1960, to September 18, 1960, inclusive.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPEDITING CERTAIN WATERSHED PROJECTS

The Clerk called the bill (H.R. 11615) to amend section 4 of the Watershed Protection and Flood Prevention Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 4 of the Watershed Protection and Flood Prevention Act (68 Stat. 666), as amended, is amended to read as follows:

"(1) acquire or provide assurances satisfactory to the Secretary that they will acquire, without cost to the Federal Government, such land, easements, or rights-of-way as will be needed in connection with works of improvement installed with Federal assistance;"

With the following committee amendment:

Page 1, line 6, strike out "acquire or" and insert "acquire, or with respect to interests in land to be acquired by condemnation".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GORGAS MEMORIAL LABORATORY

The Clerk called the bill (H.R. 11123) to increase the authorization of appropriations for construction and equipment of facilities for the Gorgas Memorial Laboratory.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, in view of the situation existing in Panama and in view of the fact that this addition to the building would be built in the Republic of Panama and not in the Canal Zone, as I understand it, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Iowa?

There was no objection.

AUTHORIZING THE LEASING OF LAND ON THE COLORADO RIVER INDIAN RESERVATION, ARIZ. AND CALIF.

The Clerk called the bill (S. 2286) to authorize the leasing of certain land in Arizona which comprises a part of the Colorado River Indian Reservation, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, until

a determination has been made of the beneficial ownership of the lands on the Colorado River Reservation, Arizona and California, that were set apart by the United States for the Indians of the Colorado River and its tributaries, the Secretary of the Interior is authorized to lease any unassigned lands on the reservation which are located within Arizona and to approve leases made by the holders of assignments heretofore made, for such uses and terms as are authorized by the Act of August 9, 1955 (69 Stat. 539), and by the Act of May 11, 1938 (52 Stat. 347). Income received from such leases of unassigned lands may be expended or advanced by the Secretary for the benefit of the Colorado River Indian tribes and their members. Income received from such leases of assigned lands may be expended or advanced by the Secretary for the benefit of the assignee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE ACT OF APRIL 19, 1950 (64 STAT. 44; 25 U.S.C. 635), TO BETTER PROMOTE THE REHABILITATION OF THE NAVAJO AND HOPI TRIBES OF INDIANS

The Clerk called the bill (S. 2456) to amend the act of April 19, 1950 (64 Stat. 44; 25 U.S.C. 635), to better promote the rehabilitation of the Navajo and Hopi Tribes of Indians, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act to promote the rehabilitation of the Navajo and Hopi Tribes of Indians and a better utilization of the resources of the Navajo and Hopi Indian Reservations, and for other purposes", approved April 19, 1950 (64 Stat. 46; 25 U.S.C. 635), is amended by inserting "(a)" before the present text and by adding the following subsections (b) and (c):

"(b) Notwithstanding any other provision of law, land owned in fee simple by the Navajo Tribe may be leased, sold, or otherwise disposed of by the sole authority of the Navajo Tribal Council, in any manner that similar land in the State in which such land is situated may be leased, sold, or otherwise disposed of by private landowners, and such disposition shall create no liability on the part of the United States.

"(c) The Secretary of the Interior is authorized to transfer, upon request of the Navajo Tribal Council, to any corporation owned by the tribe and organized pursuant to State law, or to any municipal corporation organized under State law, legal title to or a leasehold interest in any unallotted lands held for the Navajo Indian Tribe, and thereafter the United States shall have no responsibility or liability for, but on request of the tribe shall render advice and assistance in, the management, use, or disposition of such lands."

Sec. 2. The second sentence of section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended by the Act of September 21, 1959 (73 Stat. 597), is amended by inserting after the words "Agua Caliente (Palm Springs) Reservation" the words "and on the Navajo Reservation".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BOARD OF DIRECTORS, CENTRAL BANK FOR COOPERATIVES

The Clerk called the bill (H.R. 10310) to amend the Farm Credit Act of 1933 to provide for increased representation by regional banks for cooperatives on the Board of Directors of the Central Bank for Cooperatives.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the terms of office of directors of the Central Bank for Cooperatives established prior to January 1, 1961, shall continue through the 31st day of December 1960 and shall expire at the end of that day, and thereafter such Board shall be constituted in accordance with section 31 of the Farm Credit Act of 1933, as amended, which is hereby further amended to read as follows:

"SEC. 31. BOARD OF DIRECTORS OF THE CENTRAL BANK.—(a) The Central Bank for Cooperatives shall have thirteen directors, one from each of the twelve farm credit districts and a director at large. The director at large shall be appointed by the Governor by and with the advice and consent of the Federal Farm Credit Board. Initially, directors from six of the farm credit districts shall be appointed by the Governor by and with the advice and consent of the Federal Farm Credit Board and directors from the other six farm credit districts shall be elected by the board of directors of the regional bank for cooperatives in the district. The Farm Credit Administration shall designate the districts which shall be represented by appointed directors and which by elected directors. Except as otherwise required under subsections (b) and (c) of this section, a director appointed for a district shall be succeeded by a director elected in the same district and a director elected in a district shall be succeeded by a director appointed for the same district. The term of office of a director shall be three years, except that the terms of office for directors other than the director at large which begin January 1, 1961, shall be one year, two years, and three years, divided equally among elected and appointed directors as designated by the Farm Credit Administration. The Farm Credit Administration shall prescribe rules and regulations and take all other action necessary to permit the elections required by this section.

"(b) Whenever, as of June 30 of any year, the Farm Credit Administration determines that the sum of the capital stock and subscriptions to the guaranty fund of the Central Bank held by persons other than the Governor on behalf of the United States and surplus and reserve accounts of said bank equals or exceeds 66⅔ per centum of the total capital stock, subscriptions to the guaranty fund and surplus and reserve accounts of said bank, the directors from the farm credit districts for the terms beginning the next succeeding January 1 shall all be elected by the board of directors of the regional bank for cooperatives in the respective districts.

"(c) Whenever, as of June 30 of any year, the number of elected directors exceeds six and the Farm Credit Administration determines that the sum of the capital stock and subscriptions to the guaranty fund of the Central Bank held by persons other than the Governor on behalf of the United States and surplus and reserve accounts of said bank does not equal or exceed 66⅔ per centum of the total capital stock, subscriptions to the guaranty fund and surplus and reserve accounts of the bank, the directors from the farm credit districts for the terms beginning the next succeeding January 1 shall be appointed by the Governor

of the Farm Credit Administration by and with the advice and consent of the Federal Farm Credit Board, until the number of elected directors is reduced to six. If directors are not required to be appointed for all of the terms beginning the next succeeding January 1, in order to reduce the number of elected directors to six, the Farm Credit Administration shall designate the terms to be filled by appointment or election.

"(d) Any vacancy in the Board of Directors shall be filled for the unexpired term in the same manner, by appointment or election, in which the vacant office was filled. Each director elected or appointed for a district shall have been a resident of such district for at least two years prior to election or appointment and shall have had experience with the business and financial operations of agricultural cooperatives. No person shall be eligible for election or appointment as a director for a district if such person has, within two years next preceding the commencement of the term, been a salaried officer or employee of the Farm Credit Administration or of any corporation operating under its supervision. No person shall be eligible to serve as an elected or appointed director for a district for more than two full terms of three years, plus any elected or appointed term of less than three years which expires immediately preceding his election or appointment to a full term. Any person who is a member of the Federal Farm Credit Board when appointed or elected as director shall resign as a member of the Federal Farm Credit Board before assuming his duties as director of the Central Bank. No person who becomes such director shall be eligible to continue to serve if he becomes a member of the Federal Farm Credit Board or an officer or employee of the Farm Credit Administration or an officer or employee of any corporation operating under the supervision of the Farm Credit Administration. Any appointed director may be removed at pleasure at any time by the Farm Credit Administration."

With the following committee amendments:

Page 3, line 20, strike out "accounts of the bank" and insert "accounts of said bank".

Page 4, line 10, strike out the period at the end of the first sentence of subsection (d) and insert "and shall have had experience with the business and financial operations of agricultural cooperatives."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REVISING THE BOUNDARIES OF DINOSAUR NATIONAL MONUMENT AND PROVIDING AN ENTRANCE ROAD OR ROADS THERETO

The Clerk called the bill (H.R. 6597) to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ASPINALL. Mr. Speaker, reserving the right to object, this bill was placed upon the Consent Calendar to alert the Members of the House to what is involved in the legislation. Because of the amount involved, it does not conform to the eligibility rules laid down by the majority and minority objectors on the Consent Calendar, and accord-

86TH CONGRESS
2D SESSION

Calendar No. 1587

H. R. 11615

IN THE SENATE OF THE UNITED STATES

JUNE 7, 1960

Received; read twice, and ordered to be placed on the calendar

AN ACT

To amend section 4 of the Watershed Protection and Flood Prevention Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That paragraph (1) of section 4 of the Watershed Protec-
4 tion and Flood Prevention Act (68 Stat. 666), as amended,
5 is amended to read as follows:

6 “(1) acquire, or with respect to interests in land
7 to be acquired by condemnation provide assurances satis-
8 factory to the Secretary that they will acquire, without
9 cost to the Federal Government, such land, easements,
10 or rights-of-way as will be needed in connection with
11 works of improvement installed with Federal assist-
12 ance;”.

Passed the House of Representatives June 6, 1960.

Attest:

RALPH R. ROBERTS,

Clerk.

86TH CONGRESS
2D SESSION
H. R. 11615

AN ACT

To amend section 4 of the Watershed Protection and Flood Prevention Act.

JUNE 7, 1960

Received; read twice, and ordered to be placed on the calendar

June 18, 1960

Agreed to the following amendments:

By Rep. Coffin to provide that none of the funds for technical cooperation shall be used to initiate any project or activity which has not been justified to the House and Senate (rather than justified to the Committees of Appropriations of the House and Senate as provided in the bill as reported). pp. 12129-30

By Rep. Yates to strike out a provision of the bill which would have provided that none of the funds could be used for the Indus River Basin project in India and Pakistan. pp. 12138-43

By Rep. Roosevelt to increase the appropriation for technical cooperation from \$150,000,000 to \$172,000,000. pp. 12130-1

By Rep. Reuss to strike out a provision of the bill providing that none of the funds shall be used to study the advisability of a Point Four Youth Corps to train young people to serve abroad in the technical cooperation program. pp. 12149-54

11. **TRANSPORTATION.** The Interstate and Foreign Commerce Committee reported the following bills: p. 12175

S. 1508, without amendment, to provide for the economic regulation of the Alaska Railroad under the Interstate Commerce Act (H. Rept. 1913);

S. 1509, with amendment, to amend the Interstate Commerce Act so as to provide for "grandfather" rights (preference rights for certain carriers operating in the past) for certain motor carriers and freight forwarders in Alaska (H. Rept. 1914).

12. **PERSONNEL.** The Post Office and Civil Service Committee reported with amendment S. 2857, to amend the Civil Service Retirement Act so as to provide for refunds of contributions in the case of annuitants whose length of service exceeds the amount necessary to provide the maximum annuity allowable under the act (H. Rept. 1916). p. 12175

13. **PUBLIC LANDS.** A subcommittee of the Interior and Insular Affairs Committee voted to report with amendment H. R. 10418, to revise the boundaries of the Coronado National Memorial. p. D570

14. **FRUIT AND NUT IMPORTS.** The "Daily Digest" states that the Rules Committee tabled H. R. 12341, regarding import restrictions on lemons, oranges, figs, dates, and walnuts. p. D570

15. **WHEAT; FARM PROGRAM.** Rep. Riehlman inserted a newspaper editorial urging enactment of legislation to provide a "new approach" to the farm program, stating that last year "96 factory-style farms collected more than \$50,000 each in cash loans on their wheat." p. 12171

16. **SMALL BUSINESS; MARKETING.** Rep. Patman inserted his testimony, and that of Rep. McFall, before the House Interstate and Foreign Commerce Committee supporting the enactment of legislation to prohibit the sale of commodities at unreasonably low prices. pp. 12160-66

17. **LEGISLATIVE PROGRAM.** Rep. Albert announced the following legislative program: Mon., June 20: consent calendar, followed by the following bills under motions to suspend the rules: S. 1508, Alaska railroad regulation, S. 1509, grandfather rights for motor carriers in Alaska, H. R. 9600, donation of surplus property, and H. R. 11499, use of surplus property by States; Tues: Private

calendar, and Poage farm bill; and for the remainder of the week: supplemental appropriation bill, H. R. 12176, extension of farm labor program, H. R. 7624, food additives bill, and H. R. 9996, importation of excess property. (p. 12136) He also stated that any votes on Mon. or Tues. would go over until Wed. (p. 12174)

18. ADJOURNED until Mon., June 20. p. 12175

SENATE - JUNE 18

19. COTTON. Passed as reported H. R. 11646, to amend the act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton, as amended, by defining certain offenses in connection with the sampling of cotton for classification and providing a penalty provision. p. 12275

Passed without amendment H. R. 12115, to extend the minimum national marketing quota for extra long staple cotton to the 1961 crop. This bill will now be sent to the President. p. 12276

20. DAIRY PRICE SUPPORTS. Passed over, at the request of Sen. Hart, S. 2917, to establish a price support level for milk and butterfat. p. 12275

21. ACREAGE ALLOTMENTS. Passed as reported S. 3117, to treat all basic agricultural commodities alike with respect to the cost of remeasuring acreage. p. 12276

22. CHEMICAL PESTICIDES. Passed without amendment H. R. 7480, to amend the Federal Food, Drug, and Cosmetic Act so as to provide that the term "chemical preservative" shall not apply to a pesticide chemical when used in or on a raw agricultural commodity produced from the soil, and to require that shipping containers for raw agricultural commodities be labeled to indicate by name or function the presence of any pesticide chemical that had been applied after harvest. This bill will now be sent to the President. pp. 12269-70

Passed over, at the Request of Sen. Hart, S. 3473, to provide for advance consultation with the Fish and Wildlife Service and with State wildlife agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls. p. 12276

Sens. Curtis and Carlson criticized a statement by the Food and Drug Administration that the use of 2-4D weed killer on wheat fields might make the wheat unsalable, and invited any interested Senators to a meeting scheduled today for resolving the problem created by this announcement. pp. 12310-2

23. PERSONNEL. Passed over, at the request of Sen. Hart, H. R. 4601, to amend the act of Sept. 1, 1954, in order to limit to cases involving the national security the prohibition of payment of annuities and retired pay to officers and employees of the U. S. and S. 1638, to provide for an effective system of personnel administration for the executive branch of the Government. p. 12269

Passed without amendment S. 3486, to authorize Government agencies to provide quarters, household furniture and equipment, utilities, subsistence, and laundry service to civilian officers and employees of the U. S. p. 12272

Passed without amendment S. 3485, to amend section 7 of the Administrative Expenses Act of 1946, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the U. S. p. 12274

24. WATERSHEDS. Passed without amendment H. R. 11615 (in lieu of similar S. 3383), to amend Sec. 4 of the Watershed Protection and Flood Prevention Act to authorize Federal assistance on watershed projects prior to acquisition of land,

easements, or rights-of-way as needed in connection with works of improvements installed with Federal assistance. This bill will now be sent to the President. p. 12265

25. POSTAL RATES. Passed as reported H. R. 4595, to clarify and make uniform certain provisions of law relating to special postage rates for educational, cultural, and library materials. pp. 12265-6
26. TRANSPORTATION. Passed without amendment H. R. 10840, to amend Public Law 85-626 relating to dual rate contract agreements. This bill will now be sent to the President. p. 12266
 Passed over, at the request of Sen. Hart, S. 3278, to amend the Housing Act of 1954, to assist State and local governments and their public instrumentalities in improving mass transportation services in metropolitan areas. p. 12275
27. INFORMATION. Passed without amendment H. J. Res. 696 (in lieu of S. J. Res. 187), designating September 1960 as "National Wool Month." This bill will now be sent to the President. p. 12267
28. OCEANOGRAPHIC RESEARCH. Passed over, at the request of Sen. Hart, S. 2692, to advance the marine sciences; to establish a comprehensive ten-year program of oceanographic research and surveys; and to expand ocean resources, etc. p. 12267
29. MINERALS. Passed over, at the request of Sen. Prouty, H. R. 10455, to amend the Mineral Leasing Act of February 25, 1920. p. 12270
30. FOOD ADDITIVES; ADMINISTRATIVE ORDERS. Passed without amendment H. R. 7847, to make the uniform law relating to the record on review of agency orders (Public Law 85-791) applicable to the judicial review of orders issued under the Federal Aviation Act of 1958 and the Food Additives Amendment of 1958. This bill will now be sent to the President. p. 12272
31. DESERT LANDS. Passed without amendment H. R. 11706, to authorize an extension of time of final proof of qualifications of certain entrymen under the desert land laws. This bill will now be sent to the President. p. 12272
32. DEFENSE PRODUCTION. Passed as report H. R. 12052, to extend the Defense Production Act of 1950 for an additional 2 years. p. 12272
33. FARM LOANS. Passed without amendment H. R. 6456, H. R. 6498, and H. R. 6529, to exempt certain debts owed by members of the Crow Creek Sioux, the Standing Rock Sioux, and the Lower Brule Sioux, respectively, to the tribes and to the U. S. (including certain Farmers Home Administration Loans) from being treated as an offset against compensation received by them for land taken in connection with the construction of the Fort Randall Dam and Reservoir project. These bills will now be sent to the President. p. 12273
34. CONTRACTS. Passed as reported S. 3487, to amend the "anti-Kickback Statute" to extend it to all negotiated contracts. p. 12274
35. GOVERNMENT VEHICLES. Passed as reported H. R. 766, to amend existing laws so as to modify the strict penalty provision in title 5 U. S. Code, for the use of Government-owned vehicles and aircraft for other than official purposes, and to give to the heads of departments or agencies the discretion of fixing the disciplinary action in any given case. p. 12275

36. BOTANIC GARDEN. Passed as reported S. 2919, to authorize the Secretary of the Smithsonian Institution to have a study and investigation made of the desirability and feasibility of establishing and maintaining a national tropical botanic garden in Hawaii. p. 12275
37. LAND-GRANT COLLEGES. Passed over, at the request of Sen. Hart, S. 3450, relating to the endowment and support of colleges of agriculture and mechanic arts, to increase the authorized appropriations for resident teaching grants to land-grant institutions. p. 12275
38. LAND EASEMENT. Passed without amendment S. 3665, to authorize the Secretary of Agriculture to grant an easement over certain lands to the Trustees of the Cincinnati Southern Railway, their successors and assigns. pp. 12275-6
39. LEGISLATIVE BRANCH APPROPRIATION BILL, 1961. Passed over, at the request of Sen. Hart, this bill, H. R. 12232. p. 12277
40. HOUSING. Passed over, at the request of Sen. Hart, S. 3292, to provide for the establishment of a Department of Housing and Metropolitan Affairs. p. 12277
41. REPORTS. Concurred in the House amendments to S. 899, to provide for the discontinuance of certain reports now required by law (including certain reports relating to foot-and-mouth disease, experiment stations, and extension work of this Department). This bill will now be sent to the President. pp. 12280-2
42. PUBLICATIONS. Passed without amendment S. 3579, to authorize agencies of the Government of the U. S. to pay in advance for required publications. pp. 12273-4
43. SMALL BUSINESS. Sen. Proxmire urged consideration of his bill which would require the Defense Department to clear all substantial contracts with the Small Business Administration to give small businesses equal opportunity on their contracts. p. 12256
44. PUBLIC DEBT; TAXATION. Continued debate on H. R. 12381, to extend for 1 year the public debt limit and the existing corporate normal-tax rate and certain excise-tax rates. pp. 12277, 12282-310, 12312-73
45. ADJOURNED until Mon., June 20. p. 12283

ITEMS IN APPENDIX

46. PERSONNEL. Speech in the House by Rep. Roosevelt favoring pay increases for Federal employees. p. A5134
47. PUBLIC WORKS. Extension of remarks of Rep. Weaver inserting a report to the National Rivers and Harbors Congress suggesting various water resource projects to be included in the Government's public works program. pp. A5141-3
48. GRAIN STORAGE. Rep. Yates inserted an article, "Keeping Grain Storage Costs Down." pp. A5151-2
Rep. Yates inserted an editorial in support of his proposal which would require maximum utilization of Government-owned storage. pp. A5167-8
49. FARM LABOR. Extension of remarks of Rep. Teague inserting an article which states that "two leaders of farmer organizations today contended Mexican

preference, or, rather, a suggestion. I thought it might be in the interest of harmony to do so, but that was not an indication of my personal preference. I coupled with it my statement that the bill could be called up at any time so far as I was concerned.

Mr. JOHNSON of Texas. If the Senator did not express a preference, I was mistaken. However, we are ready to take it up. There was never at any time an indication that I would take the bill up on Tuesday. We had planned to take it up on Saturday. I told the Senator from Virginia [Mr. BYRD] to make his personal arrangements so that we could take it up on Saturday. I thought he understood clearly that we wanted to take it up on Saturday.

After that was general information for 3 or 4 hours, we were served with a letter, privately delivered, stating that the writers planned to have a caucus on Tuesday at 12:30 o'clock, and would I please call it. That threw everything out of gear. I took that letter to the Senator from Virginia and to other Senators, and I consulted them about it.

Even the signers of the letter interposed no serious objection. Most of them realized that since we had scheduled it for Saturday and since it had a deadline, that if we added amendments to it and it had to go to conference, the sooner we got to discussing it and the amendments, the better off we would be. After I had talked to all of them, and realizing that in my opinion with one exception—the exception being the Senator from Pennsylvania—the membership on both sides of the aisle was ready to proceed to debate the bill. I thought that we would call the calendar first and then proceed as quickly as we could to debate the bill.

I was told it would be held up because some Members were out of town.

The RECORD should show that I am not responsible for Senators being out of town. I had an engagement today, too. I have to be here. I do not believe that any one or two Senators ought to be used as a vehicle for delaying public business because some Senators are out of town. I was told that would be done, because certain Senators who would vote this way or that way on a certain amendment were out of town and wanted to be present when we voted, so there would be a filibuster. If there is, I want it to be on someone else's hands, not mine.

If any Senator has amendments and wishes to call them up, we will stay here and act on them as expeditiously as we can. If we cannot conclude them, and have to proceed to the Japanese Peace Treaty, or some other measure, we will do so, and return to this measure whenever we can. But I think we ought to use today as profitably as possible.

Mr. GORE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. GORE. I am prepared to proceed and am ready to proceed. What I wanted to call to the Senator's attention and to the attention of the Senate is that because of the circumstances last evening, a very important amendment which has been recommended to Con-

gress by the Treasury Department, and which would bring in considerable additional revenue to offset some of the additional appropriations which Congress has made, and for which I voted, has just been submitted. I would not want to have criticism of the amendment made that we have no printed copies of it. I call this to the Senator's attention, to illustrate the difficulty of rushing a bill of this importance through the Senate on Saturday night, when important amendments have not even been printed.

Mr. JOHNSON of Texas. There is no attempt to rush anything through. If we are ready to proceed, let us proceed. I think I understand the attitude of the Senator from Tennessee. I want to proceed to the consideration of the bill. I want to have it discussed. I am not trying to rush any bill through, although I may say that several amendments were added to the defense appropriation bill which were not printed the day before. One of them, suggested by the Senator from Pennsylvania [Mr. CLARK] involved a large sum of money for the Marine Corps. He pulled that one out of the air pretty quickly. Those things have been done. However, I have no desire to rush; I simply have a desire to get on with the business.

Mr. GORE. I am ready.

Mr. JOHNSON of Texas. I hope the Senator from Tennessee will use his influence with his deskmate.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. CLARK. Is it the intention of the Senator from Texas to have a quorum call following the call of the calendar?

Mr. JOHNSON of Texas. Yes. I have notified each Member of the Senate and have said that the Senator from Pennsylvania desired a live quorum before the calendar call. I appreciate the Senator's withholding his request. That is why a number of Senators are in their seats this morning. I think most of the Senate wants to cooperate with the leadership. I think most of them will. If Senators have amendments they want to have considered on the merits, I hope they will call them up and let the majority prevail. We will call the roll.

CALL OF THE CALENDAR

The PRESIDING OFFICER. The call of the calendar will begin with Order No. 1556.

AMENDMENT OF WATERSHED PROTECTION AND FLOOD PREVENTION ACT

The bill (S. 3383) to amend section 4 of the Watershed Protection and Flood Prevention Act was announced as first in order.

Mr. JOHNSTON of South Carolina. Mr. President, a similar bill passed the House. It is Calendar No. 1587, H.R. 11615. The amendment of the Committee on Agriculture and Forestry to S. 3383 makes the Senate bill identical with the House bill. Therefore I ask unanimous consent that the Senate proceed to the consideration of the House

bill and pass it, instead, so that the action can be completed.

The PRESIDING OFFICER. The House bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 11615) to amend section 4 of the Watershed Protection and Flood Prevention Act.

The PRESIDING OFFICER. Is there objection to the present consideration of H.R. 11615?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3383 will be indefinitely postponed.

SPECIAL POSTAL RATES

The Senate proceeded to consider the bill (H.R. 4595) to clarify and make uniform certain provisions of law relating to special postage rates for educational, cultural, and library materials, and for other purposes, which had been reported from the Committee on Post Office and Civil Service, with amendments, on page 2, line 5, after the word "notations," to strike out "and"; in line 8, to strike out "recordings" and insert "recordings"; and"; after line 8, to insert:

(4) by striking out the word "and" immediately before "(6)" and by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: "and (7) printed educational reference charts, permanently processed for preservation."

After line 13, to strike out:

(b) Section 204(e)(1) of such Act, as amended (72 Stat. 140, 141; 30 U.S.C. 292a(e)(1)), is amended by striking out "(i) books consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for students' notations and containing no advertising matter other than incidental announcements of books; (ii) printed music, whether in bound form or in sheet form; (iii) bound volumes of academic theses in typewritten or other duplicated form and bound volumes of periodicals; (iv) phonograph recordings; and (v) other library materials in printed, duplicated, or photographic form or in the form of unpublished manuscripts." and inserting in lieu thereof the following: "(i) books consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for notations and containing no advertising matter other than incidental announcements of books; (ii) printed music, whether in bound form or in sheet form; (iii) bound volumes of academic theses in typewritten or other duplicated forms; (iv) periodicals, whether bound or unbound; (v) sound recordings; and (vi) other library materials in printed, duplicated, or photographic form or in the form of unpublished manuscripts."

And, in lieu thereof, to insert:

(b) Section 204(e)(1) of such Act, as amended (72 Stat. 140, 141; 39 U.S.C. 292a(e)(1)), is amended—

(1) by inserting "(including cooperative processing by libraries)" immediately following "loaned or exchanged"; and

(2) by striking out "(i) books consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for students' notations and containing no advertising matter other than incidental announcements of books; (ii) printed music, whether in bound form or in

sheet form; (iii) bound volumes of academic theses in typewritten or other duplicated form and bound volumes of periodicals; (iv) phonograph recordings; and (v) other library materials in printed, duplicated, or photographic form or in the form of unpublished manuscripts," and inserting in lieu thereof the following: "(i) books consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for notations and containing no advertising matter other than incidental announcements of books; (ii) printed music, whether in bound form or in sheet form; (iii) bound volumes of academic theses in typewritten or other duplicated form; (iv) periodicals, whether bound or unbound; (v) sound recordings; and (vi) other library materials in printed, duplicated, or photographic form or in the form of unpublished manuscripts."

And, on page 4, after line 12, to strike out:

(c) Section 204(e)(2) of such Act, as amended (72 Stat. 141; 39 U.S.C. 292a(e)(2)), is amended by striking out "and catalogs of such materials" and inserting in lieu thereof "catalogs of such materials, and guides or scripts prepared solely for use with such materials".

And, in lieu thereof, to insert:

(c) Section 204(e)(2) of such Act, as amended (72 Stat. 141; 39 U.S.C. 292a(e)(2)), is amended—

(1) by inserting "scientific or mathematical kits, instruments, or other devices" immediately following "sound recordings"; and

(2) by striking out "and catalogs of such materials" and inserting in lieu thereof "catalogs of such materials, and guides or scripts prepared solely for use with such materials".

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement in explanation of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EXPLANATION OF H.R. 4595

The purpose of this measure is to clarify and make uniform certain provisions of postal law relating to books, library books, and related materials. To that end the bill does the following:

1. Present law provides for "incidental blank spaces for students' notations" in books mailed at the special rate of postage for educational materials. As requested by the Post Office Department, the word "students" is removed, as no one can determine whether the space is actually to be used by students. The key word in the law is "incidental" which sufficiently restricts the amount of spaces in a book mailed at the special rate. This limitation is not affected by the change, but the administration of the provision is improved.

2. Reference in existing law to "phonograph recordings" is changed to "sound recordings." As in the first instance, this change is made at the request of the Post Office Department for the reason that there are various types of reproducing media in addition to the standard disk record. The Post Office Department advised the committee that identical musicals, drama, and the like are frequently reproduced on tapes, wire, and other records in addition to the disk type and does thus the more descriptive term is desirable.

3. The list of materials which may be mailed at preferential rates is broadened to include certain educational charts of a permanent nature and certain types of scientific or mathematical kits, instruments, or other devices.

4. The bill clarifies existing law to make certain that library material mailed to and from cooperative processing centers can be mailed at the same rate as though they were mailed to and from the libraries themselves.

5. The measure amends existing law under which "bound volumes of periodicals" qualify for the book or library rate so as to eliminate the requirement in regard to binding.

6. The final change by the bill carries out a recommendation of the National Audiovisual Association in connection with mailings of educational films. These materials commonly are accompanied by guides or scripts designed to be read with the presentation of the film or film strip and essential to the full utilization thereof. Under existing law, such guides or scripts do not qualify for the special book or library book rates applicable to the visual aids of which they are a part. The bill amends existing law to provide that such auxiliary material may be mailed at the rate applicable to the principal material.

The Post Office Department initially requested this legislation and has concurred in the amendments made in the House and those made in the Senate. The Department advises that enactment of the measure will have little effect on postal revenues.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

Mr. HART. Mr. President, I ask that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill be read a third time.

The bill was read the third time and passed.

DUAL RATE CONTRACT AGREEMENT

The bill (H.R. 10840) to amend Public Law 85-626, relating to dual rate contract agreement was considered, ordered to a third reading, read the third time, and passed.

RECONVEYANCE OF CERTAIN PROPERTY FROM THE CITY OF WAUKEGAN, ILL.

The bill (H.R. 5738) to authorize the Secretary of the Army to transfer to the Waukegan Port District the commitment of the city of Waukegan, Ill., to maintain a public wharf in Waukegan Harbor on land conveyed to the city in 1914, and for other purposes, was announced as next in order.

Mr. HART. Mr. President, I ask unanimous consent that the senior Senator from Oregon [Mr. MORSE] may have permission to have a statement printed immediately prior to the passage of Calendar No. 1559, H.R. 5738.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

H.R. 5738 would authorize the reconveyance of certain property to the Secretary of the Army in order that he, in turn, may convey the property to a port district subject to

an obligation to maintain a suitable public wharf which shall always be kept open to the public.

The property in question was conveyed originally in 1914 by the Secretary of War to the city of Waukegan. The 1914 conveyance was conditioned upon the city's maintaining a public wharf which shall always be held open to the public.

The city now desires to convey to the Waukegan Port District for improvement of harbor facilities.

The conveyance authorized by H.R. 5738 is the most feasible means of transferring the public wharf maintenance obligation from the city to the port district.

The bill specifically provides that "in the event the property is not used for the aforementioned purpose (public wharf) title thereto shall at the option of the Secretary of the Army, revert to the United States of America which shall have the right of immediate entry thereon."

No violation of the Morse formula is involved. That is why I have raised no objection to passage of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF FEDERAL TORT CLAIMS ACT

The Senate proceeded to consider the bill (S. 1764) to extend the Federal Tort Claims Act to members of the National Guard when engaged in training duty under Federal law, and for other purposes, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That chapter 7 of title 32, United States Code, is amended—

(1) by adding the following new section at the end thereof:

"§ 715. Property loss; personal injury or death: activities under certain sections of this title

"(a) Under such regulations as the Secretary of the Army or Secretary of the Air Force may prescribe, he or, subject to appeal to him, the Judge Advocate General of the armed force under his jurisdiction, if designated by him, may settle, and pay in an amount not more than \$5,000 a claim against the United States for—

"(1) damage to, or loss of, real property, including damage or loss incident to use and occupancy;

"(2) damage to, or loss of, personal property, including property bailed to the United States or the National Guard and including registered or insured mail damaged, lost, or destroyed by a criminal act while in the possession of the National Guard; or

"(3) personal injury or death; either caused by a member of the Army National Guard or the Air National Guard, as the case may be, while engaged in training or duty under section 316, 502, 503, 504, or 505 of this title or any other provision of law for which he is entitled to pay under section 301 of title 37, or for which he has waived that pay, and acting within the scope of his employment; caused by a person employed under section 709 of this title acting within the scope of his employment; or otherwise incident to noncombat activities of the Army National Guard or the Air National Guard, as the case may be, under one of those sections.

"(b) A claim may be allowed under subsection (a) only if—

Public Law 86-545
86th Congress, H. R. 11615
June 29, 1960

AN ACT

74 STAT. 254.

To amend section 4 of the Watershed Protection and Flood Prevention Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 4 of the Watershed Protection and Flood Prevention Act (68 Stat. 666), as amended, is amended to read as follows: Conservation, watershed projects. 16 USC 1004.

“(1) acquire, or with respect to interests in land to be acquired by condemnation provide assurances satisfactory to the Secretary that they will acquire, without cost to the Federal Government, such land, easements, or rights-of-way as will be needed in connection with works of improvement installed with Federal assistance;”.

Approved June 29, 1960.

3540 E